

FILED
JUN 15 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FRED GARDNER and CONCERNED)	
CITIZENS FOR LITTLE CANYON)	
MOUNTAIN, an unincorporated)	Civil No. 07-1722-SU
association,)	
)	
Plaintiffs,)	ORDER
)	
v.)	
)	
UNITED STATES BUREAU OF LAND)	
MANAGEMENT,)	
)	
Defendant.)	
_____)	

Marianne Dugan
259 E. 5th Avenue, Suite 200-D
Eugene, Oregon 97401

Attorney for Plaintiffs

Karin J. Immergut
United States Attorney
District of Oregon

Stephen J. Odell
Assistant United States Attorney
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204-2902

Attorneys for Defendant

KING, Judge:

The Honorable Patricia Sullivan, United States Magistrate Judge, filed Findings and Recommendation on March 11, 2009. Plaintiffs filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Sullivan.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Sullivan (#45) dated March 11, 2009 in its entirety.

IT IS HEREBY ORDERED that Gardner's Motion for Summary Judgment (#5) is DENIED and BLM's Cross Motion for Summary Judgment (#18) is GRANTED.

DATED this 15 day of June, 2009.



GARR M. KING
United States District Judge